

Appln. No. 10/678,871
Supplemental Amendment

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LISTING OF CLAIMS:

1. (Currently Amended) A method for a real estate agent to obtain a real estate listing for a property of a seller, the method comprising:

providing first consideration to the seller, wherein the first consideration includes an upfront payment to the seller;

receiving from the seller the real estate listing of for the property in return for providing the first consideration to the seller;

receiving second return consideration from the seller if a sale condition for the property is met during a defined period of time; and

granting the seller a right to retain at least a portion of the upfront payment if the sale condition is not met by the end of the defined period of time, wherein the seller retains a least a portion of the upfront payment when the sale condition is not so met.

using a computer to track at least one of the consideration, the real estate listing and the return consideration.

2. (Currently Amended) The method of claim 1, further comprising: wherein the consideration includes an upfront payment to the seller using a computer to track at least one of the first consideration, the real estate listing and the second consideration.

3. (Previously Presented) The method of claim 1, wherein the sale condition is receipt of a bona fide offer to purchase the property.

4. (Previously Presented) The method of claim 1, wherein the sale condition is an executed purchase contract.

5. (Cancelled).

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Appln. No. 10/678,871
Supplemental Amendment

6. (Currently Amended) The method of claim 1, wherein receiving second return consideration includes receiving a refund of at least a portion of the first consideration.
7. (Currently Amended) The method of claim 1, wherein receiving second return consideration includes offsetting a purchase price for the property with ~~a~~ the refund.
8. (Currently Amended) The method of claim 1, wherein receiving second return consideration includes the real estate agent ~~increasing~~ receiving a commission ~~received~~ from the seller.
9. (Currently Amended) The method of claim 1, wherein the property has an associated price and providing the upfront payment ~~consideration~~ to the seller includes providing an advance of the price, and wherein receiving return second consideration includes offsetting monies provided to the seller based on sale of the property by the advance.
10. (Currently Amended) The method of claim 1, wherein:
the providing first consideration includes providing first considerations to a plurality of sellers:
the receiving the listing includes receiving listings from the plurality of sellers; and
the receiving a second consideration ~~refund~~ includes receiving second considerations a ~~refund~~ from a group of the plurality of sellers for which a corresponding sale condition is met.
11. (Previously Presented) The method of claim 1, wherein the listing is an exclusive listing.
12. (Previously Presented) The method of claim 10 wherein the group of sellers have different sale conditions.
13. (Currently Amended) The method of claim 1, further comprising the real estate agent receiving financing from a financing agent.

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Appln. No. 10/678,871
Supplemental Amendment

14. (Currently Amended) The method of claim 13, further comprising using the financing to provide the first consideration to the seller.
15. (Currently Amended) The method of claim 13, further comprising making payment to the financing agent in return for receiving the financing.
16. (Currently Amended) The method of claim 15, wherein the payment to the financing agent in return for the financing includes paying a percentage of the financing.
17. (Currently Amended) The method of claim 15, wherein the payment to the financing agent in return for the financing includes paying a percentage of commissions for sale of one or more properties.
- 18 through 77 (Previously Cancelled).
78. (Currently Amended) The method of claim 1, wherein receiving ~~return~~ second consideration includes receiving an increased commission as compared to other contracts for real estate listings.
79. (Cancelled).
80. (Previously Presented) The method of claim 79, wherein the real estate listing is an exclusive real estate listing for an exclusivity time period, and wherein the time period equals the exclusivity time period.
81. (Currently Amended) The method of claim 1, wherein the first consideration further includes one or more of the following: ~~money~~; goods; or services.
82. (Currently Amended) The method according to claim 1, in which the real estate agent offers the seller an option including a first and a second arrangement wherein the seller selects the second arrangement and the steps of claim 1 are performed as part of the second arrangement, the method further comprising:

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Appln. No. 10/678,871
Supplemental Amendment

offering the seller a the first arrangement, wherein the real estate agent obtains the listing for the property and an opportunity to receive a first commission, and

offering the seller a the second arrangement, wherein the real estate agent obtains the listing for the property and an opportunity to receive a second commission,

wherein the second commission is greater than the first commission by an amount,

wherein the seller receives the first consideration for providing the listing in the second arrangement, the first consideration not being included in the first arrangement; and

receiving a selection from the seller of the second arrangement, wherein the ~~return~~ second consideration includes the amount.

83. (Cancelled).

84. (Cancelled).

85. (Currently Amended) The method of claim 1 further comprising:

offering the seller a first arrangement wherein the real estate agent obtains the listing for the property of the seller and receives an opportunity to obtain a first commission from the seller if a first sale condition is met; and

offering the seller a second arrangement wherein the real estate agent obtains the listing for the property and receives an opportunity to obtain a second commission if a second sale condition is met, and wherein the seller receives the first consideration in return for the listing, the first consideration not being included in the first arrangement, and wherein the seller keeps at least a portion of the first consideration if the second sale condition is not met.

86. (Cancelled)